

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

JUDICIAL REVIEW MISC. APPLICATION NO. 106 OF 2019

BETWEEN

KENMARK TRADING T/A FOODIES SUPERMARKET.....APPLICANT

VERSUS

NAIROBI COUNTY GOVERNMENT DIRECTOR

OF PUBLIC HEALTH.....1ST RESPONDENT

NAIROBI CITY COUNTY.....2ND RESPONDENT

AND

VIVO ENERGY KENYA LIMITED.....INTERESTED PARTY

RULING

1. The *ex parte* Applicant has filed a Notice of Withdrawal dated 24th August 2020, seeking to withdraw the Notice of Motion dated 8th April 2019 and accompanying statutory statement with no order as to costs. The Interested Party's advocate had also indicated that he was not opposed to the matter being withdrawn with no order as to costs, in an email sent on 28th July 2020 to the Deputy Registrar of the Judicial Review Division.

2. In the premises I hereby order as follows:

I. This suit is hereby marked as withdrawn with no order as to costs, and this file is accordingly closed.

II. The Deputy Registrar of the Judicial Review Division shall send a copy of this ruling to the *ex parte* Applicant, Respondents and Interested Party by electronic mail by close of business on Thursday, 8th October 2020.

3. Orders accordingly.

DATED AND SIGNED AT NAIROBI THIS 7TH DAY OF OCTOBER 2020

P. NYAMWEYA

JUDGE